

Notice of Allowability

Application No.

10/658,362

Applicant(s)

SARASWAT ET AL.

Examiner

Art Unit

Steven B. Theriault

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/09/2007.
2. ☒ The allowed claim(s) is/are 1,3-7,9-13 and 18-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Examiners Amendment

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ashok Tankhali on 07/05/2007.

In the Claims, please see the attached.

Allowable Subject Matter

2. In Applicant's Response dated April 09, 2007, Applicant's amendment and arguments are persuasive.

All other objections and rejections previously set forth are withdrawn.

Claims 1,3-7,9-13 and 18-21 are allowed.

3. The following is an examiner's statement of reasons for allowance

Claims 1, 3, and 7

The closest prior art is Johnson et al (20030167172) that teaches a multi-modal communication system that allows provides synchronization between a voiceXML session and the graphical browser. Johnson teaches multiple combinations where the voice session is located on a server and the visual browser is located on the device (See Figure 1, #34, #30 #16). Johnson teaches a process of listening to events and fusing or linking concurrent multimodal input so that the voice and visual inputs are synchronized (See Para 21). However, Johnson does not teach a switching between the voice and visual browser where the visual browser is

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terminated. Johnson maintains the visual and voice browser operations. Johnson is also not seen as teaching or suggesting the use of update card that updates the state of the voice call to the state of the visual browser so that the termination of the voice call the user is allowed to use the visual browser from the where the voice call left off, as recited in the amended claims.

The prior art of McNulty et al (7146407) teaches a process of using the WML deck to display a collection of cards. McNulty teaches the cards are like HTML documents and contain links to other cards in the same deck or to a different deck or to content on the Internet (See column 10, lines 43-67 and column 11, lines 1-15). McNulty teaches a process of capturing interactions with the user where a voice call is initiated (See Figure 13 and column 13, lines 35-55). However, McNulty does not suggest or teach a process of switching between a voice and visual browser where the visual browser is terminated and voice is activated and the state of the voice call is updated to the visual browser when clicked so that when the voice call is terminated the visual browse can take over from where the voice call leaves off, and the user can continue browsing. McNulty also does not teach or suggest that the WML cards are used as update cards where the user navigates forward in the deck and an event handler understands the process to mean contact the update host and update the voice call to the state of the visual browser as recited in the amended claims.

The prior art of Ativanichayaphong et al (7032169) teaches a process of synchronizing voice and visual browsers through the use of a synchronization table and markup tags. Ativanichayaphong teaches that the browser modalities operate concurrently on the device (see column 10, lines 1-5) and therefore, Ativanichayaphong is not seen as suggesting a process of switching between the voice and visual browser where the visual browser is terminated, as. Ativanichayaphong maintains the visual and voice browser operations. Ativanichayaphong is also not seen as teaching or suggesting the use of update card that updates the state of the voice call to the state of the visual browser so that the termination of the voice call the user is allowed to use the visual browser from the where the voice call left off, as recited in the amended claims.

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Therefore, based on the aforementioned the claims are allowed.

Claims 4-6, 9-13 and 18-21:

These claims are dependent upon Claims 1, 3, and 7, and are thus allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Theriault whose telephone number is (571) 272-5867. The examiner can normally be reached on M-F 7:30 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SBT



WEILUN LO
SUPERVISORY PATENT EXAMINER